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1414 Crittenden Street, N.W.
Washington, D.C. 20011

March 28, 2022

RE: Opposition to Zoning Case 21-18
(Dance Loft Ventures, LLC PUD)

Dear Members of the Zoning Commission:

As interested and impacted homeowners who directly abut the proposed development in Square 2704, we write to oppose the development plan and application of Dance Loft Ventures LLC (“Development”) that seeks a map amendment, a request to upzone the lot from MU-3A to MU-5A, and additional density.

By way of introduction, we have lived at 1414 Crittenden Street since October 2020. We were attracted to this neighborhood because it is diverse and vibrant and includes newcomers, long-term residents, homeowners, and renters. When we first learned of the proposed development behind our home, we were excited. As residents of the District for decades, we support efforts to bring affordable housing to our community. We are also avid community arts supporters, participants, and volunteers—we welcome a walkable performance space and dance studio.

We embrace the city’s plan to expand affordable housing to all areas of the city, including Ward 4. Indeed, our neighborhood is ripe for increased density and affordable housing. But a consensus that the city—and this neighborhood—should do more to provide affordable housing should not give developers a blank check to pursue flawed, large-scale projects without addressing impact on the surrounding neighborhood.

As other neighbors note in their letters, the property presents a unique challenge. The parcel facing 14th Street is ripe for a larger development, but the rear of the property penetrates a full city block surrounded on three sides by residential rowhomes. A sensible development would front the height of the building on 14th Street and build no more than three stories in the alley—alleys that typically house single-story garages in other parts of the neighborhood. That is *exactly* what the current zoning and the area plan contemplate, and that is *exactly*

what the abutting neighbors have asked the developer to pursue. We do not oppose a zoning variance that fronts the development to 14th Street to allow the developer more latitude to amass its building away from neighboring rowhouses.

We oppose the Development *as it is currently proposed* for generally the same reasons that other abutting neighbors have already documented. In short, the height, mass, and scale of the Development does not respect “the integrity and character of [the] surrounding residential areas” and “unreasonably impact[s] them.”¹ For example:

- The building will tower over the single- and two-family rowhouses that abut the Development. Although the developer claims that the building height is 66 feet, 8 inches, that does not include the proposed penthouse or rooftop enclosure for condensing units and solar panels. In real life, the total building height is approximately 82 feet, *which doubles the existing MU-3A zone height of 40 feet*. Measured at either 66 or 82 feet, it is hard to imagine that any sunlight will reach the back of our home.
- The building will extend into alleyways that are already difficult to pass in average-sized vehicles. How will construction vehicles access the lot? How does the Development allow for ingress/egress for emergency vehicles?
- The Development does not provide sufficient parking. The developer assumes that renters will be able to use public transportation, but anyone who has lived in this neighborhood will tell you that tenants of the units will need (and bring with them) cars for doctor’s appointments, grocery shopping, and other similar errands.
- The building lacks green space for existing and new neighbors to enjoy.
- The Development does not account for the displacement of locally-owned businesses.

These negative impacts (and others) are not mere “temporary inconveniences” that we will experience during construction, as some supporters of the project claim. The consequences are permanent, and anyone who dismisses them as a small price to pay for affordable housing are either (1) uninformed about the details of the project and the developer’s representations to the community or (2) eager to

¹ Policy LU-2.4.5 – Encouraging Nodal Development

dismiss abutting neighbors as “Nimbys” who will resist any development behind their homes—that is not true.

During meetings with the developer, we have raised our concerns and asked them to redesign the project so that most of the density is fronted on 14th Street. At best, the developer’s response has been perfunctory and patronizing.

The developer continues to repeat the “density is diversity” trope to reject our request for a right-sized proposal. As an initial matter, density does not necessarily mean height; our neighborhood presents a unique opportunity to increase density through the conversion of existing rowhomes to multi-unit dwellings and accessory dwelling units (ADUs). But even assuming that height is the only way to obtain density here, the developer has failed to explain why fronting most of the height of the building on 14th Street is insufficient, other than to say that the request is “not financially feasible.” (Translation: not profitable for the developer). Therein lies the rub.

We understand and accept that the District must financially incentivize developers to undertake affordable housing projects, but there are a number of problems with the developer’s “not financially feasible” position.

First, we do not know if it is actually true because despite our repeated requests, the developer has failed to disclose any accounting to support its claim. Even if it is true, to what extent is the alternate design not financially feasible? Does it mean less of a return for investors? How much less? Who are the investors? What do they expect? What promises have been made? Is the developer merely seeking to maximize its profit? By how much? These are all questions that should be answered because no matter how dire the affordable housing crisis, maximizing developer profit to the detriment of the surrounding neighbors has never been and never will be consistent with local land use policy.

Second, a simple walk around the block demonstrates that our concerns with the developer’s plan were entirely foreseeable. The developer clearly left no room for redesign to account for the impact on the surrounding neighbors. Respectfully, if the developer purchased the land knowing that the only financially feasible design for this project was a six-story structure with a penthouse that towers over three blocks of residential homes, it should not have purchased the land. The developer’s financial gamble does not compel the acquiescence of everyone in the neighborhood, and it must not compel the approval of the Zoning Commission.

The developer's response to our concerns about ingress/egress through the alleyways and parking have similarly fallen short. For example, the developer has proposed to widen the alley on 14th Street. But that does not address the narrow entrance on 15th Street. Likewise, the developer has offered to provide 40 parking spaces. That offer is disingenuous. The developer is required to provide at least 50 parking spaces, yet it is seeking an exemption to provide less. How is that an adequate response to neighborhood concerns about parking?

Only 20 of the developer's 40 parking spaces are designated for residents. The developer (and apparently the DDOT) project that *only 20 of the 101 proposed units* will need parking based on the assumption that the development is approximately a mile from the Petworth Metro Station. To begin, that proximity is not consistent with the Comprehensive Plan, which calls for "development *adjacent to Metrorail stations* and corridors to respect the character, scale, and integrity of adjacent neighborhoods"² The development is not adjacent to the Petworth Metro Station; the development is in a neighborhood that is a mile from the Petworth Metro Station, and it does not respect the character, scale, or integrity of the neighborhood in which it is located. Further, the assumption that only 20% of the residents will need a car is flawed. There are few grocery stores, doctor's offices, or pharmacies within walking distance of the site. How many supporters of the project live in this neighborhood and do not own at least one car?

To reiterate, we welcome affordable housing and development in our neighborhood. We welcome affordable housing and development *in our backyard*. But we do not support a project that prioritizes the financial success of the developer over the concerns of abutting homeowners and common sense. Should the Zoning Commission approve the development as it is currently proposed—without balancing the financial motive of the developer with the interests of the surrounding neighbors—the District would squander an opportunity to use this development as an example of how affordable housing can succeed with the *support* of neighborhoods throughout the city.

² Policy L.U.1.4.6 – Development Along Corridors

We respectfully request that the Zoning Commission deny the PUD as proposed and send the developer back to the proverbial drawing board. We welcome a more reasonable proposal from this developer (or another) that meaningfully reduces the scale and density of the building, fronts the majority of the height on 14th Street, provides more parking, and alleviates concerns about ingress/egress through the alleyways. Thank you for your consideration.

Sincerely,

Tom Tynan & Erika Pont